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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/789,328      | 02/27/2004  | Robert J. Rafac      | 2003-0107-01        | 9393             |

21773 7590 10/15/2007  
CYMER INC  
LEGAL DEPARTMENT  
17075 Thornmint Court  
SAN DIEGO, CA 92127-2413

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| EXAMINER |
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TURNER, SAMUEL A

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| ART UNIT | PAPER NUMBER |
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2877

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10/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Response to Rule 312 Communication**

Application No.

10/789,328

Applicant(s)

RAFAC, ROBERT J.

Examiner

Samuel A. Turner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 02 October 2007 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☒ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

*Note: see the Examiner's amendment correcting the dependency of claim 132.*



Samuel A. Turner  
Primary Examiner  
Art Unit: 2877

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

#### Amend claim 132 as follows:

132. (Currently amended) The apparatus or claim [139] 129, further comprising:

the value of the actual bandwidth parameter is calculated from the equation

$$K \cdot w + L \cdot w_2 + M,$$

where  $w_1$  is the first measured spectrum width representative of FWXM or EX' and  $w_2$  is the second measured spectrum width representative of FWX"M or FX".

The above amendment was made to correct a typo in the claim dependency.

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel A. Turner whose phone number is 571-272-2432.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr., can be reached on 571-272-2800 ext. 77.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Samuel A. Turner', with a stylized flourish at the end.

Samuel A. Turner  
Primary Examiner  
Art Unit 2877